

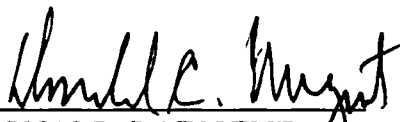
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA)	JUDGE DONALD C. NUGENT
)	
Plaintiff,)	CASE NO.1:07 CR 221
)	
vs.)	<u>ORDER</u>
)	
JAHMAL NICHOLSON,)	
)	
Defendant.)	

This matter is before the Court on Defendant Jahmal Nicholson's Motion to Dismiss Indictment pursuant to 18 U.S.C. §3161(b) and §3162(a)(1). Mr. Nicholson contends that the indictment in this case was filed outside the time limit set forth in 18 U.S.C. §3161(b) and beyond the sixty day extension of that time limit which was set forth in the Waiver of Rights For all of the reasons set forth in the Court's Memorandum Opinion. the Defendant's Motion to Dismiss Indictment is GRANTED with the understanding that the government retains the right to timely re-prosecute. This case, therefore, is DISMISSED without prejudice.

IT IS SO ORDERED.

DATED: July 2, 2007


DONALD C. NUGENT
United States District Judge